

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF MICHIGAN

INTELLECTUAL VENTURES II LLC,
Plaintiff,

v.

MITSUBA CORPORATION, and
AMERICAN MITSUBA CORPORATION,
Defendants.

:
:
:
:
:
:
:
:
:
:
:

Civil Action No.

Jury Trial Demanded

COMPLAINT FOR PATENT INFRINGEMENT

Intellectual Ventures II LLC (“IV” or “Plaintiff”), brings this action for patent infringement against Defendants Mitsuba Corporation and American Mitsuba Corporation (“Mitsuba” or “Defendants”), and alleges as follows:

NATURE OF THE ACTION

1. This is an action for patent infringement under the patent laws of the United States, Title 35 of the United States Code. IV seeks remedies for Defendants’ infringement of IV’s U.S. Patent No. 7,067,952 (“the ’952 Patent” or the “Patent-in-Suit”).

THE PARTIES

2. Intellectual Ventures II LLC is a Delaware limited liability company, with a principal place of business at 3150 139th Ave. SE, Bldg. 4, Bellevue, WA 98005.

3. Upon information and belief, Mitsuba Corporation is a corporation organized and existing under the laws of Japan, with its principal place of business at 1-2681, Hirosawacho, Kiryu, Gunma, 376-0013, Japan.

4. Upon information and belief, American Mitsuba Corporation is a Michigan corporation headquartered at 2945 Three Leaves Dr., Mount Pleasant, MI 48858.

JURISDICTION AND VENUE

5. This action arises under the Patent Act, 35 U.S.C. § 1 *et seq.*
6. Subject matter jurisdiction is proper in this Court under 28 U.S.C. §§ 1331 and 1338.
7. Venue is proper in this Court under 28 U.S.C. §§ 1391(b)-(c) and 1400(b) because defendants maintain a regular and established place of business and have committed infringing acts in this district.
8. This Court has personal jurisdiction over Mitsuba by virtue of, *inter alia*, (i) maintaining a regular place of business and a continuing presence in this jurisdiction; (ii) committing at least a portion of the infringements alleged herein within this district; and (iii) regularly doing business or soliciting business, engaging in other persistent courses of conduct and/or deriving substantial revenue from good and services provided to individuals in this district.

THE PATENT

9. United States Patent No. 7,067,952 is entitled “Stator assembly made from a molded web of core segments and motor using same,” and issued June 27, 2006 to inventor Griffith D. Neal. The ’952 Patent issued from United States Patent Application No. 10/383,219 filed on March 5, 2003. The ’952 Patent claims priority to U.S. Patent No. 7,036,207 filed on March 2, 2001. A copy of the ’952 Patent is attached as Exhibit 1.
10. IV is the lawful assignee and owner of all right, title and interest in and to the ’952 Patent.

INFRINGEMENT OF THE PATENT-IN-SUIT

11. Mitsuba has infringed and continues to infringe at least one of IV’s patents that cover aspects of electric motors and other products, including, without limitation the Mitsuba

electronic power steering unit with Honda part number 53602-TV0-E01, the Mitsuba electronic power steering unit with Honda part number 53281-TG7-A20, and the Mitsuba electronic power steering unit with Honda part number 53602-SZT-G01 (the “Exemplary Mitsuba Products”).

12. IV incorporates by reference in its allegations herein certain claim charts comparing exemplary claims of the Patent-in-Suit to the Exemplary Mitsuba Products.

13. Specifically, Exhibits 2-4 are charts comparing claims of the Patent-in-Suit to the Exemplary Mitsuba Products.

14. As set forth in Exhibits 2-4, the Exemplary Mitsuba Products practice, in whole or in material part, the technology claimed by the Patent-in-Suit.

COUNT I

(Mitsuba’s Infringement of the ’952 Patent)

15. Paragraphs 1 through 14 are incorporated by reference as if fully restated herein.

16. IV is the assignee and lawful owner of all right, title and interest in and to the ’952 Patent.

17. The ’952 Patent is valid and enforceable.

18. Mitsuba has infringed, and is still infringing, the ’952 Patent in at least this District by making, using, offering to sell, selling and/or importing Accused Products that infringe at least claims 10 and 12 of the ’952 Patent (the “Exemplary ’952 Patent Claims”) literally or by the doctrine of equivalents.

19. On information and belief, Mitsuba directly infringes the ’952 Patent by designing, manufacturing, and selling the Exemplary Mitsuba Products.

20. Exhibits 2-4 include charts comparing exemplary claims 10 and 12 of the ’952 Patent to the Exemplary Mitsuba Products. As set forth in these charts, the Exemplary Mitsuba Products practice, in whole or in material part, the technology claimed by the ’952 Patent.

Accordingly, the Exemplary Mitsuba Products infringe at least exemplary claims 10 and 12 of the '952 Patent.

21. IV is entitled to recover damages adequate to compensate for Mitsuba's infringement.

PRAYER FOR RELIEF

WHEREFORE, Plaintiff respectfully requests the following relief:

- a) A judgment that the '952 Patent is valid and enforceable.
- b) A judgment that Defendants have infringed one or more claims of the '952 Patent;
and
- c) A judgment that awards Plaintiff all appropriate damages under 35 U.S.C. § 284 for Defendants' past infringement, and any continuing or future infringement of the Patents-in-Suit, up until the date such judgment is entered, including pre or post judgment interest, costs, and disbursements as justified under 35 U.S.C. § 284 and, if necessary, to adequately compensate Plaintiff for Defendants' infringement, an accounting:
 - i. that this case be declared exceptional within the meaning of 35 U.S.C. § 285 and that Plaintiff be awarded its reasonable attorneys' fees against Defendants that it incurs in prosecuting this action;
 - ii. that Plaintiff be awarded costs, and expenses that it incurs in prosecuting this action; and
 - iii. that Plaintiff be awarded such further relief at law or in equity as the Court deems just and proper.

DEMAND FOR JURY TRIAL

Plaintiff hereby demands trial by jury on all claims and issues so triable.

Date: October 31, 2017

YOUNG & ASSOCIATES

/s/ Rodger D. Young

27725 Stansbury Boulevard, Suite 125

Farmington Hills, Michigan 48334

248.353.8620

efiling@youngpc.com

P22652

Attorneys for Intellectual Ventures II LLC